

REMARKS

Claim 9 has been amended by adding the subject matter of claim 12 thereto and claims 12 and 14 have been canceled. Claims 9 to 11 and 13 remain active in the subject application.

Claim 12 was rejected under 35 U.S.C. 112, first paragraph, on the ground that the specification does not describe the etch-stop/barrier using two different dielectrics. The rejection is respectfully traversed.

Not only is claim 12 an original claim as presented, but, in addition, page 6, line 15ff describes dielectric film 60 as an etch-stop and barrier layer and line 21ff states that alternating layers of different dielectric films can be used to form layer 60.

Claims 9 to 12 and 14 were rejected under 35 U.S.C. 102(e) as being anticipated by Roy (U.S. 6,180,976). The rejection is respectfully traversed.

Claim 9 requires forming an etch-stop/barrier layer over the first dielectric layer and the at least one copper layer which contacts the copper layer and is formed using at least two different dielectric films. No such step is taught or even remotely suggested by Roy either alone or in the combination as claimed. Furthermore, since the rejection of claim 12 was based upon section 102, the rejection further fails to teach anticipation.

The remaining claims depend from claim 9 and therefore define patentably over Roy for at least the reasons presented above with reference to claim 9.

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In view of the above remarks, favorable reconsideration and allowance are respectfully requested.

Respectfully submitted,



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